

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                 )                           8:13CR56  
                                  )  
v.                            )                           FINDINGS AND RECOMMENDATION  
                                  )  
TROY GEE,                    )  
                                  )  
Defendant.                 )

This matter is before the court on the defendant Troy Gee's (Gee) motion to dismiss Counts III, IV, V, VI, VII, IX, X, XI, XIII, and XIV of the Indictment (Filing No. 30). Following the filing of Gee's motion, the government has requested leave of the court to dismiss Counts III, IV, V, VI, VII, IX, X, XI, XIII, and XIV of the Indictment (Filing No. 39).

**IT IS RECOMMENDED** to the Honorable Laurie Smith Camp, Chief United States District Judge, that the government's request for leave to dismiss Counts III, IV, V, VI, VII, IX, X, XI, XIII, and XIV of the Indictment (Filing No. 39) be granted and Gee's motion to dismiss (Filing No. 30), be denied as moot.

**FURTHER, IT IS ORDERED:**

Pursuant to NECrimR 59.2 any objection to this Findings and Recommendations shall be filed with the Clerk of the Court within fourteen (14) days after being served with a copy of this Findings and Recommendations. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 5th day of April, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge